

JEFFERSON COUNTY COMMISSIONERS
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
June 5, 2007**

Present: Commissioners Lythgoe and Notbohm; Harold Stepper and Mike Hoffman, County Planners; Joe Carter, Road Supervisor; Bill Lloyd, Jeremiah Theys and Dave Aune, Great West Engineering; Jan Anderson, *Boulder Monitor/Jefferson County Courier*; Ernie Kennison, Sherry Carlson, Julie Forbes, Ellen Rae Thiel, Shannon Buell, David and Kathy Christenson, Tom Bulter

Absent: Commissioner Weber

CALENDAR REVIEW

6/07 Health Board - 6:30

6/13 Meeting with Anna Cossel - 1:30

COMMISSION REPORTS

SOUTH HILLS RID

Commissioner Lythgoe reported that he attended the pre-bid conference with contractors regarding the South Hills RID on Wednesday. Five or six companies were represented. Later that day, he, Jeremiah Theys and Joe Carter met with Lewis and Clark County residents regarding tree removal from the right-of-way. At the end of the meeting, most were comfortable with Joe and the way that he is dealing with this.

BEAVERHEAD-DEER LODGE NATIONAL FOREST

Commissioner Notbohm reported that he and Commissioner Weber met with Forest Service officials on Thursday and did a five to six hour tour of roads in the forest. He noted that the Forest Service takes a different approach down there, with various designations on the roads. They have really worked hard to work something out so people have access. Commissioner Notbohm also noted that Eric Tolf is good to work with.

SUBDIVISION REVIEW

FINAL PLAT APPROVAL - RIDGEVIEW MAJOR SUBDIVISION

Mike Hoffman, County Planner, presented his staff report. This is a major subdivision, with 13 lots ranging in size from 1.05 to 9.94 acres, 2 miles west of Montana City on Jackson Creek Road. Lots will have individual wells and septic systems. The developer has opted for cash-in-lieu of parkland dedication. The developer has also requested a variance to the subdivision regulations regarding fire protection. Mike stated that Condition of Approval #16 of The Preliminary Plat approval required the developer to install a 30,000 gallon water tank, a hydrant and perpetual easement for The fire district. Upon further investigation, and review of the Fire Analysis conducted by Bruce Suneram, Fire Logistics, Inc., and review of Jefferson County Subdivision regulations, it is recommended that The Jefferson County Commission grant a variance to the developer in regards to the water storage system required by the fire district based on the following:

- A. *The estimated cost of such a system will exceed \$75,000.00, or \$112,550+ for a Subdivision Improvements Agreement bonded at 1.5 times the cost estimate for completion.*
- B. *The life-span of the tank is short term, given the materials utilized. It is proposed to utilize metal tank materials rather than plastics.*
- C. *Montana Rural Fire Department has 2 stations available in the area for response; station #1 is located 4.94 miles away with a response time of approximately 14+ minutes. Station #2 is located on Jackson Creek Road, 1.59 miles from the project, with a response time of approximately 9+ minutes. The departments can deliver and sustain 300-1,250 gpm for 120 minutes, depending on the distance to a hydrant or certified water supply point. The subdivision proposals needs can be met by present personnel and facilities.*
- D. *Based on the Fire Analysis, the Montana City Rural Fire District has 2 engines, 2 wild-land engines, and 2 water tenders available for response. With a co-operative agreement with Jefferson County, the DNRC Central Land Office also provides wild-land fire protection to The lands in the area of the Ridge View Estates Subdivision with approximately 3 engines and 1 helicopter unit in the vicinity, with a response time of approximately 25-45+ minutes. A dipping spot for the helicopter unit is located within 1 mile of the proposal.*
- E. *Combined mutual aid sources consist of an initial response of approximately 5 structural engines, 4 water tenders, and 5 wild-land engines, and an aerial helitack unit.*
- F. *Mitigation measures 2 through 8, and proposed Conditions of Approval, as found in the Fire Analysis, have been met prior to Final Plat Approval.*
- G. *Under the Risk Rating portion of the Fire Analysis, in 29 assessment categories, the subdivision achieved a score of 118 points or a "moderate risk-moderate priority" rating.*
- H. *Condition of Approval #16 as found in the Preliminary Plat approval of August 1st, 2006 is unreasonable in that under the circumstances, it imposes an undue burden on the landowner due to cost and inconvenience. While Condition of Approval #16 is directly related to and incidental to the proposed land use, the condition's impact on the developer is onerous in that it involves an oppressive amount of effort and difficulty. The requirement of a water supply facility would include heavy obligations and undue financial burden, given the benefit to the public of the condition itself, and the size of the proposal. The findings do not contain sufficient evidence to justify imposition of the condition for an on-site 30,000 gallon water supply and hydrant facility.*

Mike then recommended that final plat approval be granted. Commissioner Lythgoe asked if there is a payment-in-lieu for fire suppression. Mike stated that there is, but it is not in the documents as it is up to the Commission to decide how to proceed. Commissioner Notbohm asked how the fire department feels about this. Mike stated that he spoke with Rick Abraham the previous day, and he was inflexible and unsympathetic. He didn't have the variance information at that time. He noted that there is a lot of water within five minutes of the subdivision. Commissioner Notbohm stated that he would like to make the statement that the fire department there is excessive on their demands to developers. He thinks that the Commission needs to sit down with the fire department, and they also need to discuss cash-in-lieu. Harold noted that the cash-in -lieu amount for this subdivision, if the Commission decides to go that route, would be \$5,425.83.

Commissioner Notbohm moved to allow the variance for the water storage requirement. Commissioner Lythgoe seconded. The motion carried.

Commissioner Notbohm moved to grant final plat approval to the Ridgeview Estates Major Subdivision. Commissioner Lythgoe seconded. Commissioner Notbohm asked if they need to look at the amount of cash-in-lieu. Commissioner Lythgoe stated that he feels that this is appropriate. Commissioner Notbohm asked Commissioner Lythgoe if he feels that the amount is adequate. Commissioner Lythgoe stated that Harold and Mike calculate the amount based on a set formula; this is a fairly small subdivision. The motion carried.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

DISCUSS AND DECIDE ON MUSEUM BOARD REQUEST FOR ADDITIONAL FUNDS

Sherry Carlson, Museum Board, stated that the board is requesting additional funds to produce a new exhibit. The total cost of the project is \$2,550.00, but the manufacturer has agreed to do the project for \$1,250.00. Even with moving all available funds from other line items, the Museum Board still comes up short. They are requesting \$700 to be able to be able to have this project completed.

Commissioner Lythgoe moved to approve an additional \$700 to the Museum Board. Commissioner Notbohm seconded. The motion carried.

DISCUSS AND DECIDE ON REQUEST TO INCREASE THE SOLID WASTE BOARD BY ONE MEMBER

Commissioner Lythgoe explained that the Solid Waste Board had recently changed the by-laws to have the ability to add or subtract to the total number of members on the board.

Commissioner Lythgoe moved to allow the Solid Waste Board to increase the number of board members by one member. Commissioner Notbohm seconded. The motion carried.

SIGN DETENTION SERVICES AGREEMENT

Commissioner Lythgoe noted that this is a yearly agreement, and no dollar amounts are attached. Commissioner Notbohm noted that this is a contract with the facility in Galen. They are currently in the middle of their fiscal year, but he thinks that there will be a \$25/day increase.

Commissioner Lythgoe moved to authorize Commissioner Weber to sign the agreement. Commissioner Notbohm seconded. The motion carried.

OPEN BIDS FOR SOUTH HILLS RID PROJECT

Commissioner Lythgoe noted that three bids had been submitted for consideration. The bids were as follows:

Contractor	Total with gravel to be supplied by contractor	Deduct if County provides gravel
Bullock	\$511,542.62	\$45,925
Gallatin Asphalt	\$635,310.65	\$82,665.00
Helena Sand and Gravel	\$888,888.00	\$148,797.00

Commissioner Lythgoe stated that the bid packets will be given to the engineers at Great West to review.

Commissioner Lythgoe moved to accept the bids, take them under advisement and to give them to Great West to review for compliance. Commissioner Notbohm seconded. The motion carried. He noted that the engineer's estimate was \$530,000. Commissioner Lythgoe stated that the Commission appreciates those who took the time to bid on this project.

AWARD BANK SERVICES CONTRACT

Commissioner Lythgoe stated that after reading the comments from the Clerk and Recorder and Treasurer, he would move to award the bank services contract to the First Boulder Valley Bank. Commissioner Notbohm seconded. The motion carried.

DAVE AUNE - DISCUSS SCOPE OF WORK FOR NORTHERN JEFFERSON COUNTY WASTE WATER TREATMENT ENGINEERING PLAN

Dave Aune, Great West Engineering, presented the scope of work documents to the Commissioners and asked if they had any questions. Commissioners Lythgoe and Notbohm both indicated that they had previously reviewed the documents that were sent to the office, and that they had no questions. Commissioner Lythgoe asked if they would be applying for grants. Dave stated that the County is not eligible for TSEP at this time, as they already have an application submitted for the bridge project.

DISCUSS AND DECIDE ON FAIR BOARD REQUEST FOR ADDITIONAL FUNDS

Julie Forbes, Fair Board member, stated that the Fair Board had submitted a letter to the Commission requesting \$54,000 to finish the multi-purpose building at the fairgrounds. She stated that the board can put forward \$8,500 from the current budget, so the actual request would be \$45,000. Commissioner Notbohm stated that he spoke with Marilyn McCauley earlier in the day, and she wants to request the full \$54,000. The quote for the project doesn't include everything, such as cabinets, appliances and counter tops. Commissioner Lythgoe stated that if there are going to be additional costs over what is in the bid, they need to see those figures. Commissioner Notbohm stated that Marilyn has been shopping around, but the main concern is to get the project completed.

Commissioner Lythgoe moved to approve \$45,000 of their request to the Fair Board.

Commissioner Notbohm seconded, and asked where the money is to come from. Commissioner Lythgoe stated that they will need to talk to Bonnie; probably PILT. The motion carried.

AWARD BID FOR FAIRGROUNDS UPGRADE

Commissioner Lythgoe stated that one bid has been received from Dave Ramey in the amount of \$42,000. The bid does not include counter top, cabinets, appliances, a propane tank and flooring. Commissioner Lythgoe asked if that is all that is needed to totally complete the project. Julie stated that this is correct. Commissioner Notbohm stated that the concrete floor is nice and smooth, and they may just decide not to do flooring. Commissioner Lythgoe asked why everything to complete the project was not included in the bid. Julie stated that she believes that Marilyn got a lead on a way to get some items cheaper, so they decided to go bare bones for the bid.

Commissioner Lythgoe moved to award the bid for \$42,000 to Dave Ramey. Commissioner Notbohm seconded. The motion carried.

Commissioner Notbohm moved to adjourn. Commissioner Lythgoe seconded. The motion carried.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

KEN WEBER, CHAIR

TOMAS E. LYTHGOE, COMMISSIONER

CHUCK NOTBOHM, COMMISSIONER